

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

In re application of : Jeffrey A. Whitsett
App. No. : 09/558,576
For : SURFACTANT PROTEIN D FOR
THE PREVENTION AND
DIAGNOSIS OF PULMONARY
EMPHYSEMA
Filed : April 26, 2000
Examiner : Holly G. Schnizer
Group Art Unit : 1653

I hereby certify that this correspondence and all marked
attachments are being deposited with the United States Postal
Service as first-class mail in an envelope addressed to: Board of
Appeals and Interferences, United States Patent and Trademark
Office, P.O. Box 2327, Arlington, VA 22202, on

December 2, 2002

(Date)

James J. Mullen, III, Ph.D., Reg. No. 44,957

RECEIVED

DEC 10 2002

TECH CENTER 1600/2900

Board of Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Applicant hereby appeals to the Board of Appeals and Interferences from the decision dated May 31, 2002, of
the Primary Examiner finally rejecting Claims 10 and 29-34. The items marked below are appropriate:

Filing Fee:

(X) \$160 (small entity)
() \$320 (large entity)

(X) Enclosed is a check in the amount of \$160.

(X) Return prepaid postcard.

(X) Please charge any additional fees or credit overpayment to Deposit Account No. 11-1410.

01/06/2003 TSUGGS 00000023 09558576

01 FC:2401

160.00 BP

RECEIVED
2002 DEC -6 AM 10:25
BOARD OF PATENT APPEALS
AND INTERFERENCES

Signature:

James J. Mullen, III, Ph.D.
Registration No. 44,957
Customer No. 20,995
(619) 235-8550